



COPAKE PLANNING BOARD
OCTOBER 3, 2013
MINUTES

Approved
December 5, 2013

Please note that all referenced attachments, comprising 7 pages, are on file with the Copake Town Clerk and in the Planning Board office. An annotated listing of those attachments appears at the end of this document.

A regular meeting of the Copake Planning Board was called to order at 7:00 p.m. by Marcia Becker, Chair. Also present were George Filipovits, Steve Savarese and Jon Urban. Chris Grant and Bob Haight were excused. Lisa DeConti was present to record the minutes.

ZONING BOARD OF APPEALS – Referrals

1. ZBA REFERRAL/SPR – MARIA AND DONALD POWERS – Starling Rd. [Copake Lake] – (2013-24)

No one was present regarding this application. Ms. Becker reminded the Board that this application was reviewed at last month's meeting however the Board requested more information before a decision could be made. Ms. Becker made note of the fact that she received several submissions and acknowledged the:

- New Site Map
- Septic Pump-Out Information Form
- Code Enforcement Referral Letter
- Front Yard Variance of Fifteen feet (15')
- Rear Yard Variance of Fifty-Three feet (53')

Ms. Becker pointed out the washer/dryer utility room addition on the map and noted that the Front and Rear Yard Variances had been approved by the Zoning Board of Appeals subject to Site Plan Approval by the Planning Board. It was noted that the utility room will be eighteen point six feet (18.6') by seven feet (7'). Mr. Filipovits believed this room was quite large for a washer and dryer however it was noted that this room is referred to as a utility room and could have other uses as well. Ms. Becker clarified that the hot water tank will also be placed in this room.

On a motion made by Mr. Savarese and seconded by Mr. Filipovits the Board voted unanimously to approve the Site Plan for the Maria and Donald Powers property on 14 Starling Road from a hand-drawn map by Mr. Powers. Ms. Becker made note of the fact that there was no date on the Powers map and that she would attach it to the ZBA approval date.

2. ZBA REFERRAL – ANDREW HOWARD – Starling Road [Copake Lake] – (2013-26)

No one was present regarding this application. Ms. Becker informed the Board that the application for Andrew Howard requires only a referral letter and not a Site Plan Review.

Ms. Becker explained that Mr. Howard wishes to build a Chicken Coop and Shed on his property. Ms. Becker made note of the fact that variances were needed for both the Coop and the Shed as Town Code does not allow the housing of farm animals within two-hundred feet (200') of a property line. Ms. Becker also acknowledged that rear and front yard variances are required for placement of the shed. Ms. Becker continued to explain that Mr. Howard wishes to have six (6) hens in his Chicken Coop.

Mr. Filipovits questioned whether Mr. Howard's neighbors minded this and Ms. Becker informed him that the ZBA will be sending letters advising them of Mr. Howard's plans and will hold a Public Hearing next month. Mr. Filipovits clarified that his biggest concern was how Mr. Howard's neighbors felt about this.

Ms. Becker questioned how the waste would be disposed of, whether the chickens will be free-range or remain in the Coop, whether the yard is fenced in and where the feed will be stored as this could attract rodents. Mr. Urban questioned the size of his lot and Ms. Becker advised that Mr. Howard's lot is fifty-two-hundred (5200) square feet. Ms. Becker also noted that Mr. Howard's house is seventy-seven-hundred and sixty-eight (7768) square feet with only one (1) bedroom.

Mr. Filipovits and Mr. Urban's biggest concern were the neighbor's reaction however Mr. Savarese brought up the fact that there are health concerns as well should they be too confined. It was noted that there is a minimum of a two-hundred foot (200') set-back requirement from a property line or public street right-of-way. Ms. Becker will write a letter to the ZBA noting the Board's concerns.

3. ZBA REFERRAL/SPR – Ruth PELHAM/DIANE TURNER – Roosevelt Drive [Copake Lake] – (2013-27)

Linda Chernewsky appeared representing the applicants. Ms. Becker advised the Board that this application is a ZBA Referral and requires a Site Plan Review. Ms. Becker acknowledged copies of the:

- Maps which were received earlier in the day
- Photographs
- Building Permit Application
- Code Enforcement Officer's letter noting this application requires Site Plan Approval
- Front Yard Variance of ten feet two inches (10'2")
- Rear Yard Variance of fifty-eight feet eight inches (56'8")
- Application for Site Plan Review

- ZBA Application
- Letter of Agency for Linda Chernewsky from Ruth Pelham and Diane Turner
- Elevations and Site Plan dated September 13, 2013

Ms. Becker made note of the fact that there are two (2) parcels with two (2) separate tax map numbers. Ms. Chernewsky informed the Board that Surveyor Jeff Plass is working with the homeowners to abolish the separation line and merge the properties however Ms. Chernewsky made note of the fact that a variance is only needed on the one parcel. Ms. Chernewsky also made note of the fact that this property is part of the President's Estates Sewer and Water Treatment System. Ms. Becker questioned the fact that the Sewer and Water are located in the same easement. Ms. Chernewsky agreed that this was unusual as she believed they needed to be ten feet (10') apart but acknowledged that a title search was done and that this was noted as per deeds of record.

Ms. Chernewsky explained that Ms. Pelham and Ms. Turner wish to add a Mud Room to the Roosevelt Drive side, a screened porch, and a covered entry way from the house to the screened porch. Ms. Chernewsky also made note of the fact that the present roof is not in very good condition so an entire new roof will be done and the structure will expand toward the lake side for additional space in the living and dining rooms. She also pointed out that there is plenty of room in that direction. Ms. Chernewsky acknowledged that the footprint will not expand in any of the other areas and the screened porch will be placed on the existing deck which will be repaired.

Ms. Becker questioned whether any bedrooms will be added and was advised by Ms. Chernewsky that no bedrooms will be added to the existing four (4) bedroom structure. Ms. Becker questioned whether the structure will be completely demolished. Ms. Chernewsky explained that what she is planning is to remove everything at the top plate up and replace it with a new truss roof over the main portion of the house.

Ms. Becker questioned if the lot coverage was reviewed. Ms. Chernewsky advised her that the lot coverage is at seventeen percent (17%) with the proposed changes. Mr. Filipovits pointed out that the coverage will be a lot less once the lots are combined. Ms. Becker questioned what was in the cellar and was advised that there is a door on the wall underneath the deck which will be expanded out for a storage area. Ms. Becker noted that the demolition aspect will be dealt with by the Building Inspector since the complete structure is not being demolished. Ms. Becker believed that there were asbestos shingles on the structure however Ms. Chernewsky said she that these appeared to be painted pine shakes.

The Check List was reviewed. Ms. Becker acknowledged that the septic is connected to the President's Estates Sewer System and noted that there was no increase in the bedroom count. Ms. Becker pointed out that when the Waste Water Treatment System was updated there wasn't much consideration given to homeowner expansion so the Board needs to keep track of improvements to structures on the system. It was noted that no state or county permits are required. Mr. Urban requested that no blaring lights or flood lights be used. Ms. Chernewsky did not believe any are planned.

On a motion made by Mr. Savarese and seconded by Mr. Urban the Board voted unanimously to approve the Site Plan for the Ruth Pelham and Diane Turner renovation and addition by LLC Designs dated September 2013 on Roosevelt Drive at Copake Lake subject to granting of the variances by the ZBA.

Ms. Becker made note of the fact that the submissions were received the day of the meeting which could have delayed the Planning Board's decision. Ms. Chernewsky questioned whether she should submit her drawings at the same time she submits them to the ZBA as changes might be made in the meantime. After a discussion it was advised that one large copy be submitted and smaller copies be e-mailed as early as possible so that they can be forwarded to the Board members for an early review. Additional copies can then be brought on the night of the meeting.

2013 – 20 JESSICA WANG & JAMES SPENCER – ZBA REFERRAL/SPR – Lakeview Road [Copake Lake]

Ms. Chernewsky reminded the Board that originally Ms. Wang and Mr. Spencer proposed a four (4) bedroom house on Lakeview Road at Copake Lake which needed an updated septic system. However when the new tank was being installed it was discovered that the lines were not hooked up to the original one-thousand gallon concrete tank. Ms. Chernewsky also noted that at that time it was discovered that the distribution box was located too high. Ms. Chernewsky explained that with the impending expense that would be incurred with the addition of a new septic system the owners decided to leave the house a two (2) bedroom loft style with a dormer in the back. The existing septic system and lines were repaired.

Ms. Chernewsky acknowledged that she had been granted a height variance by the ZBA however she made note of the fact that the new height of the structure is below the variance was granted for. Ms. Chernewsky acknowledged that the footprint will remain the same, the bathroom will be updated, stairs will be added to the loft and a Mud Room will be added.

Ms. Becker did request verification that the existing septic system was repaired and is in good working order. Ms. Chernewsky advised her that she is waiting to receive this information and will submit it once received.

Ms. Becker acknowledged that a height variance, a left side yard set-back variance, a right side yard variance and a rear yard variance had all been granted by the ZBA. Ms. Chernewsky acknowledged that she spoke with the ZBA Chair who advised her that inasmuch as the variances had already been granted for more than what is now needed their Board felt no other variances need be applied for.

On a motion made by Mr. Filipovits and seconded by Mr. Savarese the Board voted unanimously to grant conditional approval for the Site Plan for the Jessica Wang and James Spencer property from plans by LMC Design dated May 15, 2013 for a house renovation on 343 Lakeview Road Copake Lake subject to receipt of verification of septic system repair.

PUBLIC HEARING

NONE

SUBDIVISION/SITE PLAN

None

MINUTES

The minutes for the September 5, 2013 meeting and the September 14, 2013 special meeting could not be approved inasmuch as there was not a quorum of members present that attended those meetings.

ADMINISTRATIVE

MICHAEL FRIED: Ms. Becker reminded the Board that the Michael Fried Subdivision was approved last month subject to Attorney Ken Dow's review of the Road Maintenance Agreement to which he suggested changes. The suggestions were given to Mr. Fried and Surveyor Jeff Plass who made the changes and resubmitted the revised documents. Ms. Becker also acknowledged receipt of a Health Department approval letter from Mr. Fried.

APPROVAL OF MINUTES BY MR. SAVARESE: Ms. Becker advised the Board that an e-mail was received from Mr. Savarese approving the July 13, 2013 minutes.

JULIE COHEN APPOINTMENT: Ms. Becker advised the Board that a letter was submitted to the Town Board regarding Julie Cohen's appointment to the Board. If approved by the Town Board Ms. Cohen will become a Planning Board member at the November meeting.

EDWARD SAWCHUCK: Ms. Becker reminded the Board that Mr. Sawchuck's project was conditionally approved pending receipt of a letter from him verifying the working order of his existing septic system. Ms. Becker acknowledged receipt of this submission and made note of the fact that this was acceptable inasmuch as Mr. Sawchuck is a licensed engineer.

CARRY OVER

The following matters were carried over to the next meeting:

2012 -14 SPR/BLUESTONE & TRAFFIC CIRCLE – CAMPHILL VILLAGE – Camphill Road [Copake Lake]

2011-18 SITE PLAN REVIEW – DOMINICK SINISI – Lakeview Road [Copake Lake]

ADJOURNMENT

There being no further business, on a motion made by Mr. Filipovits and seconded by Mr. Savarese, the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 7:45 p.m.

Marcia Becker, Chair

Please note that all referenced attachments, comprising 7 pages, are on file with the Copake Town Clerk and in the Planning Board office. The referenced attachments are filed in the individual project files. An annotated listing follows:

ADMINISTRATION

DONALD & MARIE POWERS

September 10, 2013 Code Enforcement Officer to ZBA (1)
March 13, 2013 Bill Baldwin & Sons, Inc Inspection Sheet (1)

MICHAEL FRIED/RMF PARTNERS

August 23, 2013 Road Maintenance Agreement (2)
Edward Van Nostrand to Pat Prendergast P.E. (1)

EDWARD SAWCHUCH

September 20, 2013 Sawchuck to CPB (2)